

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ELLEN PEPPLER,	)	
	)	
Plaintiff,	)	Civil Action No. 14-273
	)	
v.	)	Judge Cathy Bissoon
	)	
KINDRED HOSPITAL – PITTSBURGH	)	
– NORTH SHORE LLC,	)	
	)	
Defendant.	)	

**ORDER**

Defendant’s Motion (**Doc. 10**) to file a sur-sur-reply is **DENIED**, as follows. Sur-replies are strongly disfavored by the Court, and sur-sur replies are nearly unheard of. This being said, the new information identified in Defendant’s Motion eventually will land in the record, by whatever procedural mechanism, and Plaintiff undoubtedly will wish to be heard in response.

Rather than invite a sur-sur-sur reply, the Court hereby **DENIES** Defendant’s original Motion to Dismiss (**Doc. 2**), without prejudice to refile. In refileing the Motion, Defendant must include **all** of the information upon which it relies in moving for dismissal, and Plaintiff likewise must do the same in response. No further submissions, whether deemed a “reply,” “sur-reply” or any other numeric iteration of the words “sur” and “reply,” will be considered.

Defendant shall refile its motion to dismiss by **June 26, 2014**, and Plaintiff shall file its response in opposition by **July 3, 2014**.

IT IS SO ORDERED.

June 19, 2014

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record